
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

SONIA ORDONEZ,

Plaintiff,

v.

CANYONS SCHOOL DISTRICT,

Defendant.

**ORDER AFFIRMING & ADOPTING
REPORT & RECOMMENDATION**

Case No. 2:13CV245DAK

Judge Dale A. Kimball

This case was referred to Magistrate Judge Evelyn Furse under 28 U.S.C. § 636(b)(1)(B). On May 29, 2014, Magistrate Judge Furse issued a Report and Recommendation, recommending that Defendant's Motion to Dismiss be granted and that the court dismiss Plaintiff's First and Third Causes of Action. Plaintiff sought extensions to file objections to Magistrate Judge Furse's Report and Recommendation, which this court granted. Plaintiff filed the first part of her objection on July 7, 2014, and her final objections on July 21, 2014. Defendant filed a response to Plaintiff's objections on August 11, 2014.

A Magistrate Judge's Report and Recommendation is subject to *de novo* review by this court. *See* 28 U.S.C. § 636(b)(1)(B); *see also* Fed. R. Civ. P. 72(b). The court has reviewed the record *de novo* with respect to the present motion.

Plaintiff does not specifically address the analysis in Magistrate Judge Furse's Report and Recommendation. Rather, she attempts to provide additional evidence to support her causes of action. This evidence, however, fails for the same reason Plaintiff's Complaint fails to state a claim of disparate treatment discrimination and hostile work environment. There is no connection between the actions taken against Plaintiff and her gender, race, or national origin. Plaintiff makes conclusory allegations of discrimination with no supporting facts. While Plaintiff did not get along with her co-workers, there is no evidence that it was the result of any discriminatory animus.

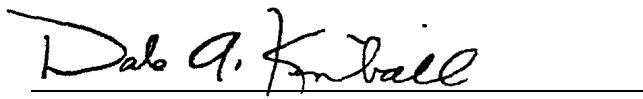
Plaintiff's specific allegations include statements too vague to demonstrate or infer discrimination. She alleges that a co-worker stated that he could give her too much work because she always forgives him; a co-worker stated that he was superior to her in every way; a coworker gave her inconsistent instructions and asked her to perform tasks in a way that she felt was unsafe. This conduct may be disagreeable, but it does not provide the basis for a discrimination claim or hostile work environment claim.

After conducting a *de novo* review of the record with respect to the motion and considering Plaintiff's objections to the Report and Recommendation, the court finds no basis for reversing or modifying the Report and Recommendation. Defendant's motion to dismiss is granted for the reasons set forth in Magistrate Judge Furse's Report and Recommendation. None of Plaintiff's arguments or additional evidence changes the applicable legal analysis. Therefore, Magistrate Judge Furse's May 29, 2014 Report and Recommendation is hereby affirmed and adopted in its entirety as the Order of this court.

Accordingly, Defendant's Motion to Dismiss is GRANTED and the court dismisses Plaintiff's First and Third Causes of Action.

DATED this 18th day of August, 2014.

BY THE COURT:



DALE A. KIMBALL
United States District Judge